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I hereby certify that this paper and the documents referred to as attached therein are being deposited with the United States Postal Service on the date shown below in an envelope "Express Mail Post Office to Addressee" mailing Label Number EJ652270733US addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.



July 11, 2001  
Date

Denise Ortega  
Name

Denise Ortega  
Signature

#9/B 38  
9/8/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jan Zavada et al.

Serial No.: 09/772,719

Group Art Unit:

Filed : January 30, 2001

Examiner:

For : MN Gene and Protein

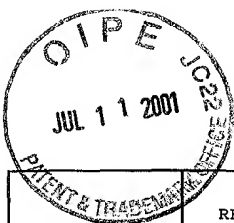
AMENDMENT TRANSMITTAL

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith is a Preliminary Amendment and Request for Declaration of an Interference with U.S. Patent No. 6,087,098.

The fee for claims has been calculated as shown below:




	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL	30	MINUS	20	10	X \$ 18	\$180.00
INDEP.	3	MINUS	3	= 0	X \$ 80	\$ 0.00

[ ] FIRST PRESENTATION OF MULTIPLE DEP. CLAIM + \$270 \$

TOTAL \$180.00

A request for payment by credit card of the fee of the additional claim fee accompanies this transmittal. If for any reason, the credit card payment is not adequate for payment of any fees or should any additional fees be determined to be necessary in connection with this paper, Applicants respectfully request that any such fees be charged to Deposit Account No. 12-0615.

Respectfully submitted,

  
Leona L. Lauder  
Attorney for Applicants  
Registration No. 30,863

Dated: July 11, 2001

#3

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jan Zavada et al.

Serial No.: 09/772,719

Group Art Unit:

Filed : January 30, 2001

Examiner:

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PRELIMINARY AMENDMENT AND REQUEST  
FOR DECLARATION OF AN INTERFERENCE WITH  
U.S. PATENT NO. 6,087,098

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants respectfully request that an interference be declared between their above-identified application and U.S. Patent No. 6,087,098 (issued July 11, 2000; hereinafter cited as "the McKiernan et al. '098 patent"; copy enclosed as Exhibit 1). Applicants further respectfully request that the Applicants be designated as the senior party in said interference, since their

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above-identified application has effective filing dates of March 11, 1992, October 21, 1992, December 30, 1993, June 15, 1994 and June 7, 1995, whereas the only priority date claimed for the McKiernan et al. '098 patent is April 15, 1997. The earliest effective filing dates for the instant application are about five (5) years earlier than the priority date for the McKiernan et al. '098 patent, and the latest claimed priority date is about two years earlier than the priority date for the McKiernan et al. '098 patent. Further, the PCT application corresponding to the parent application of which the instant application is a continuation -- Zavada et al., WO 95/34650 -- was published on December 21, 1995.

Applicants respectfully request that the instant application be amended as indicated below before the requested interference is declared, and before examination of the claimed invention is made.

IN THE SPECIFICATION

Please make the amendments to the Specification as indicated below:

Please replace the paragraph on page 1, lines 2-14 with the following paragraph: